

**REGULAR SESSION OF THE
BRIGHAM CITY COUNCIL
FEBRUARY 4, 2010**

PRESENT:	Dennis Fife	Mayor
	Bruce Christensen	Councilmember
	Scott Ericson	Councilmember
	Ruth Jensen	Councilmember
	Bob Marabella	Councilmember
	Tyler Vincent	Councilmember
ALSO PRESENT:	Doug Balmer	Golf Course Superintendent
	Ben Boyce	Leisure Services Director
	Jim Buchanan	Emergency Services Director
	Dave Burnett	Public Power Director
	Mary Kate Christensen	City Recorder
	Blake Fønnesbeck	Public Works Director
	Jared Johnson	Community Development Manager
	Paul Larsen	Economic Development Director
	Bruce Leonard	City Administrator
	Bonnie Mortensen	Youth Commission Coordinator
	Mike Nelsen	Police Lieutenant
	Jason Roberts	Finance Director
	Paul Tittensor	Chief of Police

Mayor Fife called the meeting to order. The Reverence Period was given by Bishop Steve Van Dusen of the Forest Hills LDS Ward. The scouts in the audience led the Pledge of Allegiance.

Approval of Minutes - Councilmember Christensen noted that in the December 17, 2009 minutes on page 5 it does not state who made the motion. In the minutes of January 7, 2010, page 3, it should state that "it is one of the biggest *eyesores* in the City." In the January 21, 2010 minutes, page 2, Armand should be Armando. Councilmember Ericson noted in the December 17, 2009 minutes it should be Raymond *Quick*. A motion to approve the minutes of December 17, 2009 Council and Executive Session and January 7 and 21, 2010 Council Meetings as corrected was made by Councilmember Christensen. The motion was seconded and carried.

**PUBLIC COMMENT
CONSENT**

- Appointment to the Advisory Council on Aging
- Appointments and Re-Appointments to the Volunteers in Police Service Council
- Appointment to the Golf Course Commission
- Appointment to the Economic Development Board
- Resolution Appointing a Representative to Utah Associated Power Systems Board
- Announcement of a Bicycle Friendly Task Force
- Request to Transfer Anonymous Donation for the Academy Project to the Academy Square Foundation

SCHEDULED DELEGATION

- Request for Approval of Drug Free Community Grant Application
- Annual Golf Course Report and Presentation of Marketing Plan
- Annual Engineering Report and Request to Renew Annual Contract with Increase in Hourly Rate Schedule

NEW BUSINESS

- Request to Allow a Portion of Structure and Exterior Light Fixtures to Project into Public Right-of-Way Along Forest Street and 100 West

UNFINISHED BUSINESS

- Follow Up Information on Purchase of Airport Snow Blower

MAKING LIFE BETTER - DEPARTMENT REPORTS

OTHER BUSINESS

CLAIMS

PUBLIC COMMENT

There were no comments from the public.

CONSENT

Appointment to the Advisory Council on Aging

Dick Terry and David Morrell were recommended for approval to the Advisory Council on Aging.

Appointments and Re-Appointments to the Volunteers in Police Service Council

It was recommended Maryann Barnett, Emily Stark and Scott Peck be appointed to the Volunteers in Police Service Council.

Appointment to the Golf Course Commission

It was also recommended Vickie Mauchly be appointed to the Golf Course Commission.

Appointment to the Economic Development Board

Rob Munns was recommended to serve as a member of the Economic Development Board representing the Planning Commission.

Resolution Appointing a Representative to Utah Associated Power Systems

A resolution was presented to appoint Bruce Leonard as the City's representative to the Utah Associated Power Systems Board.

Announcement of a Bicycle Friendly Task Force

Mayor Fife recommended a Bicycle Friendly Task Force be formed with the following members: Jack Leavitt will be the Chair, Pastor Dave Heister will serve as Vice Chair, Gary Dixon, Paul Larsen, David Harrison and Holly Patterson.

Request to Transfer Anonymous Donation for the Academy Project to the Academy Square Foundation

It was requested an anonymous donation in the amount of \$1,500 for the Academy project be transferred to the Academy Square Foundation.

MOTION: A motion to approve the Consent Agenda as amended was made by Councilmember Marabella, seconded and carried.

SCHEDULED DELEGATION

Request for Approval of Drug Free Community Grant Application

Dr. Carey Lloyd, Chair of the Youth Commission, came forward and explained that they have been funded through the Drug Free Communities Grant for the last five years. This grant has given the community over \$100,000 per year, and the City matches that with in-kind services. Over the next five years this will increase from \$100,00 to \$125,000 and the in-kind match could go up to \$150,000. Currently they are receiving over that in volunteer hours and other in-kind matches. The grant needs to be renewed and is due March 16. They are in the process of writing the grant and the Commission is requesting that the Council approve the funding and approve submittal of the grant so they can continue. The grant specifies that the monies must be applied to drug and alcohol prevention as well as build a coalition to address those questions in the youth. Other sources of funding they hope to obtain include areas in education, law enforcement and health care. Millions of dollars are being spent in these areas in both treatment and enforcement. These could be applied effectively to prevention areas.

Chief Tittensor came forward and stated that prevention is key in preventing crime. Crime dropped last year, although there is probably not any one answer but the Youth Commission has certainly influenced it.

Ms. Mary Kay Kirkland, Assistant School Board Superintendent, came forward and said it is in everyone's best interests to have all the students in the District not participating in bad behavior. This is what the Communities That Care Program is all about. The District wants to make sure they are providing the best programs for the students. A state-wide survey is administered in grades 6, 8 and 10 and the data is collected. The survey asks participants if they are participating in risk behaviors of drugs, alcohol, teen pregnancy, etc. When the results came back this year, the data was amazing. Even in Utah, there were a lot of communities that didn't show as much of a decline as Box Elder in some of the at-risk behaviors. This is a result of a lot of people. It's City Councils, Communities That Care Program, community members that are volunteering, church groups and a lot of people that work together to support the youth. The School District can do a lot on their own, but they cannot do this alone. Parents and community members have to help with these at-risk behaviors.

MOTION: Councilmember Christensen made a motion to approve the Drug Free Communities Grant application as presented, seconded by Councilmember Ericson and unanimously carried.

Annual Golf Course Report and Presentation of Marketing Plan

Mr. Chris Marx, Golf Pro, reported that in 2009 the golf course celebrated their 20-year anniversary. All marketing and promotions were centered around this.

When comparing 2009 to previous years, rounds and revenue were down. This is mainly due to the number of rainy days when the course was not playable. The course was closed more days in 2009 than any other year. It was closed 23 more days than any other year. When the course averages \$2,800/day when it is open, this makes a big difference in the revenue. Corporate participation/ tournaments were also down.

What is more concerning is the lower number of rounds and customer base. Mr. Marx felt this was due to the economy and new golf courses opening nearby.

There are no plans to increase fees this year. Mr. Marx would like to continue to use coupons, but use value added coupons. For example, rather than discounting fees, get a free bag of tees with a round of golf.

MOTION: Councilmember Marabella made a motion to approve the marketing plan as presented by Mr. Marx. The motion was seconded by Councilmember Vincent and unanimously carried.

Annual Engineering Report and Request to Renew Annual Contract with Increase in Hourly Rate Schedule

Mr. Brett Jones from Jones & Associates came forward and reviewed the projects they did for the City. There were several water and storm drain projects and several street maintenance projects. They also reviewed several subdivision plans and updated the Capital Facilities Plan.

Mr. Jones stated that their firm continues to have cost increases for insurance and overhead costs. Their employees have not had any increases over the last 2-3 years, but they felt they would need to provide increases for their employees to remain solvent. However, they are still very competitive with other engineering firms in Northern Utah. They proposed a \$3.00-\$10.00 per hour increase depending on the position.

Councilmember Marabella said as a City, employee increases are tied to the Consumer Price Index (CPI) and this year the CPI is in the negative. It is difficult to see increases for Jones & Associates to pass onto their employees when most people are just hoping to keep their jobs. Mr. Jones said part of the justification is that these numbers could be divided by two because they did not ask for an increase last year. Councilmember Jensen said in prior years they received an 8% rate increase each year. Mr. Jones explained that the first year Councilmember Jensen was on the Council they received a sizable increase. Mr. Kent Jones stated that when comparing what their engineers get paid to other engineers, their engineers are not even close to the level they should be. They did not want to lose the talent they have so they had to make some adjustments. He added that they work at Brigham City's will. They have to work within the City's budget. If budgets are short, projects are cut and they won't be needed on that project.

Councilmember Jensen said she would like to review all the City's contracts before next year's budgets. She suggested this be tabled.

MOTION: Councilmember Jensen made a motion to table this until the Council goes through the budgeting process. Councilmember Ericson said the rate comparison provided by Jones & Associates provides enough information to indicate that they are very comparable. Councilmember Christensen agreed. The motion died for lack of a second.

MOTION: Councilmember Marabella made a motion to approve the fee increases as presented. The motion was seconded by Councilmember Ericson. Councilmember Jensen said she would like the City to do a request for proposal, to show that the City is transparent and fair to others. She asked what the percentage rate increase is being proposed. Mr. Brett Jones replied that the increase is different for each position. Councilmember Marabella said the numbers have been generated from the comparison to other firms. Each position is different. Councilmember Christensen, Councilmember Ericson, Councilmember Marabella and Councilmember Vincent voted aye. Councilmember Jensen voted nay. The motion carried 4-1.

MOTION: Councilmember Jensen made a motion to do an RFP during the budget process. Councilmember Ericson stated that he felt if the City was going to do an RFP for an engineering firm, all other City services should go out for an RFP. This is a discussion that should take place during the budget process. The motion died for lack of a second.

MOTION: Councilmember Jensen made a motion to discuss doing an RFP for an engineering consultant and look at all other City services during the budget process. The motion was seconded by Councilmember Marabella and unanimously carried.

NEW BUSINESS

Request to Allow a Portion of Structure and Exterior Light Fixtures to Project into Public Right-of-Way Along Forest Street and 100 West

Mr. Larsen came forward and explained that this request is for the new Davis & Bott building being built on the old Fire Station property at 42 West Forest. City Code states that no part of a building can extend into the public right-of-way without first obtaining permission from the Council. The proposed building includes light fixtures that would project into the public right-of-way along Forest Street and 100 West. In addition, a portion of the footings for the building would extend into the right-of-way. Councilmember Christensen felt it would be an advantage to have lighting above the sidewalk.

Mr. Larsen said staff has recommended that the code be changed so that this can be approved at staff level with a hold harmless agreement and standards of what can and cannot extend into the public right-of-way.

MOTION: Councilmember Marabella made a motion to allow a portion of the structure and exterior light fixtures to project into the public right-of-way along Forest Street and 100 West. Councilmember Vincent seconded the motion. Councilmember Ericson suggested the motion include authorization for staff to take this to the attorney for hold harmless language and that staff look at provisions to the code so they can accept some of these encroachment permits based on certain criteria.

AMENDED MOTION: Councilmember Marabella amended his motion to allow encroachment into the public right-of-way including the foundation and overhead, as well as Councilmember Ericson's recommendations on hold harmless and having staff bring something back to the Council which would allow encroachments to be approved at staff level. The amended motion was seconded by Councilmember Vincent and unanimously carried.

UNFINISHED BUSINESS

Follow Up Information on Purchase of Airport Snow Blower

Mr. Fonnesebeck said since the last Council meeting he found out that it takes about six months to get these snow blowers built. If the Council is considering approving the purchase in next year's budget, as discussed at the last Council meeting, he would like to order it now so the equipment is received in time for next winter. They do not require any money down.

Mr. Fonnesebeck was previously quoted for the WK 800, which is the wrong piece of equipment. They would like to order the Kodiak Northwest for \$131,000. This is one of the best snow blowers as far as sturdiness and long lasting. They would like something that will last 20 years. In addition, all the parts for the Kodiak are easily available. A lot of parts for snow blowers are very proprietary. They would be able to use the Kodiak with either loader; the WK 800 is too small for the loaders they are using and will take longer.

Councilmember Marabella said it is difficult to justify purchasing the biggest piece of equipment for a limited use. Mr. Fonnesebeck said the airport needs to be opened quickly after a snow storm. Councilmember Vincent did not feel it was necessary to spend an extra \$20,000 to purchase the Kodiak versus the WK 800. Mayor Fife said he talked to the manager of the Salt Lake City Airport and he recommended the larger piece of equipment. The City just spent \$24 million on upgrades to the airport and he felt the City has a commitment to make sure it is open.

MOTION: A motion to authorize City staff to order the Kodiak Northwest snow blower and pay for it through the Fleet Fund in the next budget year was made by Councilmember Ericson and seconded by Councilmember Christensen. Councilmember Christensen, Councilmember Ericson and Councilmember Marabella voted aye. Councilmember Jensen and Councilmember Vincent voted nay. The motion carried 3-2.

OTHER BUSINESS

Compost Task Force

Councilmember Marabella gave an update on the Compost Task Force. There is a large supply of compost at the Treatment Plant. Because of this, the Task Force is looking at having a discount sale to try and move some of this product. Mr. Fonnesebeck said there is currently about 11,000 cubic yards of product ready for sale. Seven thousand of it is the green waste compost and the rest are wood chips. Mr. Fonnesebeck explained that the reason there is a surplus this year is because they have been doing demos of two different types of screens so they screened a lot of material. It is not good to leave them in large piles because there is a risk of combustion. He recommended a \$5.00 coupon be put in the utility bills. It is \$20 per cubic yard for the green waste compost and \$10.00 a cubic yard for the wood chips.

Personnel Changes

Mayor Fife announced that he appointed Ryan Abraham as the Acting Cemetery Sexton and entered into an agreement with Cathy Wood, former Cemetery Sexton, to work on some projects until they are completed.

ATK Status

Councilmember Ericson said the Ares Program is not in President Obama's NASA budget. The same amount of money is in the budget, but it was shifted from the Constellation Program that ATK has been working on to research privatizing space travel which will probably use liquid rocket instead of solid rocket motors. The impact on ATK could be tremendous. The federal delegation is working to try to change that and at least slow down the constellation process and the Ares Program rather than eliminating it completely, but it is an uphill battle. There are approximately 750-1000 ATK employees that live in Brigham City, so this could really impact the City's budget. Mayor Fife announced that ATK recently laid off 440 employees and they have plans to lay off 400 in March and more in May.

CLAIMS

Payment Register

Mayor Fife said City Policy states that the Council review the claims, but it only has to be brought to the Council if there are discrepancies. In the future, the Council will only address claims when there are discrepancies.

Councilmember Jensen said the employees paying the bills are doing a great job and following procedures. She noted that employees are not using the tax exempt forms so some purchases include tax.

A motion to adjourn was made by Councilmember Christensen. The motion was seconded and carried unanimously. The meeting adjourned at 9:07 p.m.